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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

ANIL SINGH,

Defendant.

INFORMATION

13 CRIM 508 (DLC)

COUNT ONE
(Conspiracy to Commit Honest Services Fraud)

The United States Attorney charges:

1. From at least in or about 2007 through and including in or about September 2012, in the Southern District of New York and elsewhere, ANIL SINGH, the defendant, and others known and unknown, willfully and knowingly combined, conspired, confederated and agreed together and with each other to violate Title 18, United States Code, Sections 1343 and 1346, to wit, SINGH received financial kickbacks and/or bribes from several companies in exchange for steering or continuing contracts from SINGH's employer in New York, New York (the "New York Employer") to those companies and SINGH paid financial kickbacks and/or bribes to a company in New Jersey (the "New Jersey Company") in exchange for obtaining the New Jersey Company's business.

2. It was a part and an object of the conspiracy that ANIL SINGH, the defendant, willfully and knowingly, having devised and intending to devise a scheme and artifice to defraud

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to deprive the New York Employer of the intangible right of honest services, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, did transmit and cause to be transmitted by means of wire communication in interstate and foreign commerce, writings, signs, signals, pictures and sounds for the purpose of executing such scheme and artifice in violation of Title 18, United States Code, Sections 1343 and 1346.

3. It was further a part and an object of the conspiracy that ANIL SINGH, the defendant, willfully and knowingly, having devised and intending to devise a scheme and artifice to defraud to deprive the New Jersey Company of the intangible right of honest services, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, did transmit and cause to be transmitted by means of wire communication in interstate and foreign commerce, writings, signs, signals, pictures and sounds for the purpose of executing such scheme and artifice in violation of Title 18, United States Code, Sections 1343 and 1346.

Overt Acts

4. In furtherance of the conspiracy and to effect the illegal objects thereof, the following overt acts, among others, were committed in the Southern District of New York and

elsewhere:

a. In or about April 2009, ANIL SINGH, the defendant, held a meeting with a co-conspirator (the "Co-Conspirator") at which they agreed to collect kickbacks and/or bribes from a company that could provide contractors to the New York Employer.

b. On or about June 7, 2010, the SINGH paid $2,070.21 for an employee of the New Jersey Company to stay at a hotel in New York, New York.

c. On or about December 7, 2011, SINGH and the Co-Conspirator caused an employee of one of the companies paying kickbacks/and or bribes to send an email from New Jersey to the New York Employer containing an invoice for services rendered by a contractor.

(Title 18, United States Code, Section 1349.)

COUNT TWO
(Conspiracy to Violate the Travel Act)

The United States Attorney further charges:

5. From at least in or about 2007 through and including in or about September 2012, in the Southern District of New York and elsewhere, ANIL SINGH, the defendant, and others known and unknown, willfully and knowingly combined, conspired, confederated and agreed together and with each other to violate Title 18, United States Code, Section 1952(a)(3), to wit, SINGH received financial kickbacks and/or bribes from several companies

in exchange for steering or continuing contracts from the New York Employer to those companies and SINGH paid financial kickbacks and/or bribes to the New Jersey Company in exchange for obtaining the New Jersey Company's business.

6. It was a part and an object of the conspiracy that ANIL SINGH, the defendant, would and did travel in interstate commerce and use and cause to be used the mails and facilities in interstate commerce with intent to promote, manage, establish, carry on and facilitate the promotion, management, establishment and carrying on of an unlawful activity, and thereafter would and did perform and attempt to perform an act to promote, manage, establish, carry on, and facilitate the promotion, management, establishment, and carrying on of said unlawful activity, to wit, SINGH received financial kickbacks and/or bribes, in violation of Title 18, United States Code, Section 1952(a)(3).

7. It was further a part and an object of the conspiracy that ANIL SINGH, the defendant, would and did travel in interstate commerce and use and cause to be used the mails and facilities in interstate commerce with intent to promote, manage, establish, carry on and facilitate the promotion, management, establishment and carrying on of an unlawful activity, and thereafter would and did perform and attempt to perform an act to promote, manage, establish, carry on, and facilitate the promotion, management, establishment, and carrying on of said

unlawful activity, to wit, SINGH paid financial kickbacks and/or bribes, in violation of Title 18, United States Code, Section 1952(a)(3).

Overt Acts

8. In furtherance of the conspiracy and to effect the illegal objects thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. In or about April 2009, ANIL SINGH, the defendant, held a meeting with the Co-Conspirator at which they agreed to collect kickbacks and/or bribes from a company that could provide contractors to the New York Employer.

b. On or about June 7, 2010, SINGH paid $2,070.21 for an employee of the New Jersey Company to stay at a hotel in New York, New York.

c. On or about December 7, 2011, SINGH and the Co-Conspirator caused an employee of one of the companies paying kickbacks/and or bribes to send an email from New Jersey to the New York Employer containing an invoice for services rendered by a contractor.

(Title 18, United States Code, Section 371.)

COUNT THREE
(Honest Services Fraud)

The United States Attorney further charges:

9. From at least in or about 2007 through and

including in or about September 2012, in the Southern District of New York and elsewhere, ANIL SINGH, the defendant, willfully and knowingly, having devised and intending to devise a scheme and artifice to defraud, and to deprive SINGH's employer of its intangible right to SINGH's honest services, did transmit and cause to be transmitted by means of wire communication in interstate and foreign commerce, writings, signs, signals, pictures, and sounds, including interstate and foreign wire transfers, for the purpose of executing such scheme and artifice, to wit, SINGH received financial kickbacks and/or bribes from at least five companies in exchange for steering contracts from the New York Employer to those companies.

(Title 18, United States Code, Sections 1343, 1346, and 2.)

COUNT FOUR
(The Travel Act)

The United States Attorney further charges:

8. From at least in or about 2007 through and including in or about September 2012, in the Southern District of New York and elsewhere, ANIL SINGH, the defendant, would and did travel in interstate commerce and use and cause to be used the mails and facilities in interstate commerce with intent to promote, manage, establish, carry on and facilitate the promotion, management, establishment and carrying on of an unlawful activity, to wit, SINGH received financial kickbacks and/or bribes from at least five companies in exchange for

steering contracts from the New York Employer to those companies, in violation of New York Penal Law Sections 180.08 and 180.05, and thereafter would and did perform and attempt to perform an act to promote, manage, establish, carry on, and facilitate the promotion, management, establishment, and carrying on of said unlawful activity, to wit, SINGH caused others to use interstate wires, such as emails, to promote, manage, and carry on the kickback and/or bribe scheme described in this paragraph.

(Title 18, United States Code, Sections 1952(a)(3) and 2.)

COUNT FIVE
(Conspiracy to Commit Money Laundering)

The United States Attorney further charges:

9. From at least in or about May 2008 through and including in or about September 2012, in the Southern District of New York and elsewhere, ANIL SINGH, the defendant, and others known and unknown, willfully and knowingly did combine, conspire, confederate and agree together and with each other to violate Title 18, United States Code, Section 1956(a)(1)(B)(i), to wit, SINGH and the Co-Conspirator arranged to receive the financial kickbacks and/or bribes into bank accounts for companies that they created and controlled to conceal the nature, source, ownership, and the control of the kickbacks and/or bribes.

10. It was a part and an object of the conspiracy that ANIL SINGH, the defendant, and others known and unknown, in an offense involving and affecting interstate and foreign commerce,

knowing that the property involved in certain financial transactions represented the proceeds of some form of unlawful activity, willfully and knowingly would and did conduct and attempt to conduct such financial transactions which in fact involved the proceeds of specified unlawful activity, to wit, the kickback and/or bribe schemes described in Count One of this Information, knowing that the transactions were designed in whole and in part to conceal and disguise the nature, the location, the source, the ownership and the control of the proceeds of specified unlawful activity, in violation of Title 18, United States Code, Section 1956(a)(1)(B)(i).

Overt Acts

11. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. On or about September 14, 2009, the Co-Conspirator wrote himself a check for $35,000 drawn on a bank account controlled by SINGH and the Co-Conspirator that contained the proceeds of one of the kickback schemes alleged in Count One of this Information.

b. On or about April 22, 2010, SINGH opened a bank account that SINGH and the Co-Conspirator used to receive kickback and/or bribe payments.

c. On or about May 25, 2010, SINGH wrote himself a check fro $20,000 from a bank account that SINGH and the Co-Conspirator used to receive kickback and/or bribe payments.

(Title 18, United States Code, Section 1956(h).)

FIRST FORFEITURE ALLEGATION

12. As a result of committing one or more of the offenses in violation of Title 18, United States Code, Sections 371, 1343, 1346, and 1349 alleged in Counts One, Two, and Three of this Information, and the Travel Act offense in violation of Title 18, United States Code, Section 1952(a)(3), alleged in Count Four of this Information, ANIL SINGH, the defendant, shall forfeit, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), to the United States of America any property, real or personal, which constitutes or is derived from proceeds traceable to said violations. The property to be forfeited includes, but is not limited to, the following:

a. At least $3,375,000 in United States currency, in that such sum in aggregate is property representing the amount of proceeds obtained as a result of the offenses.

b. $7,000 in traveler's checks.

Substitute Asset Provision

13. If any of the property described above, as a result of any act or omission of the defendant:

a. cannot be located upon the exercise of due diligence;

b. has been transferred or sold to, or deposited with, a third party;

c. has been placed beyond the jurisdiction of the court;

d. has been substantially diminished in value; or

e. has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c).

(Title 18, United States Code, Sections 981, 1343, 1346, and 1952; Title 28, United States Code, Section 2461.)

SECOND FORFEITURE ALLEGATION

14. As the result of committing the money laundering offense in violation of 18 U.S.C. § 1956(a)(1)(B)(i), alleged in Count Five of this Information, ANIL SINGH, the defendant, shall forfeit to the United States pursuant to 18 U.S.C. § 982, all property, real and personal, involved in the money laundering offense and all property traceable to such property, including but not limited to the following:

a. At least $3,375,000 in United States currency, in that such sum in aggregate is property which was involved in the money laundering offenses or is traceable to such property.

b. $7,000 in traveler's checks.

Substitute Asset Provision

15. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

a. cannot be located upon the exercise of due diligence;

b. has been transferred or sold to, or deposited with, a third person;

c. has been placed beyond the jurisdiction of the Court;

d. has been substantially diminished in value; or

e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 18 U.S.C. § 982(b), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Sections 982 and 1956.)

Preet Bharara
PREET BHARARA
United States Attorney

UNITED STATES DISTRICT COURT
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Defendant.

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(18 U.S.C. §§ 371, 1343, 1346, 1349, 1952, 1956, & 2).

PREET BHARARA
United States Attorney.

7/11/13 Waiver of Indictment filed.
Cote, USDJ